

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Isao SATO et al.
Title: 3-D SHAPE MEASUREMENT APPARATUS
Appl. No.: 10/560,048
International Filing Date: 6/3/2004
371(c) Date: 12/8/2005
Examiner: Sheela C. Chawan
Art Unit: 2624
Confirmation Number: 8179

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is being filed after the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application. Accordingly, pursuant to 37 CFR §1.97(d), a statement and fee are required.

RELEVANCE OF EACH DOCUMENT

Document A13 discloses a three-dimensional shape measuring device.

Document A14 discloses a monitoring device.

Document A15 discloses an intra-space monitoring device.

Documents A1-A9, A11 and A19-A22 relate to U.S. Patent No. 7,545,279 and its prosecution.

Unless otherwise indicated, no English translation is readily available (not considering machine-generated translations that may be freely available online, to both the Applicant and the PTO) for each of the non-English language documents. However, a commercially available English language abstract is provided herewith, where indicated on the attached Form PTO/SB/08. Inasmuch as Applicants have endeavored to provide at least one item that complies with the requirement for a “concise explanation of relevance” for each of the non-English language documents, each of these documents has been submitted in compliance with the PTO requirements and should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

STATEMENT

The undersigned hereby states in accordance with 37 CFR §1.97(e)(2) that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of the information disclosure statement.

Upon receipt of the Notice of Allowance, the application was again reviewed and the documents listed on the attached Form PTO/SB08 were identified out of an abundance of caution. Because these references were collected as part of this more recent search effort for identifying any potentially relevant references, Applicants believe that the foregoing statement under 1.97(e)(2) is met. Applicants wish to have the references considered out of an abundance of caution. The PTO Examiner is welcome to contact the undersigned with any questions.

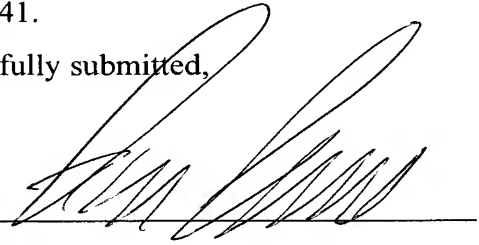
FEE

A credit card payment form in the amount of \$180.00 is enclosed to cover the fee associated with an information disclosure statement under 37 CFR §1.97(d).

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this submission under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By

A handwritten signature in black ink, appearing to read 'Pavan K. Agarwal', is written over a horizontal line.

Date October 23, 2009

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